

SENATE FEELS ANTI-RUM PRODS

(Continued From Page One.)
now ready for the Governor's signature.

Against Moore Bill.

Senator Coelho presented a petition from the Lahaina Improvement Association, in which it is declared that the citizens of Lahaina are opposed to any change in the existing liquor laws. The full text of the document is as follows: "At a meeting of the Lahaina Improvement Association, held at Lahaina courthouse on Wednesday, the 3rd day of March, A. D. 1909, for the purpose of making recommendations to our legislators, Senators and Representatives, in the matter of public improvements, and appropriations, and other matters affecting the welfare of the district of Lahaina, and matters of public policy affecting not only this district but the Territory at large, it was resolved:

First. That this association does hereby go on record as unalterably opposed to any change or amendment to be made, or sought to be made, in the present law governing the granting of liquor licenses.

Second. That this association is unalterably opposed to the change of court terms for the Second Judicial Circuit, as proposed in a certain bill now before the Legislature, which in effect takes from Lahaina the one court term which it is now entitled to.

Third. That this association favors the granting by the Legislature of an appropriation for the hospital for Lahaina district, as provided for in a bill now before it, and for any further provisions for the same which the Legislature may allow.

Fourth. That this association favors a liberal appropriation for the support of Lahaina Industrial Schools.

Fifth. That this association favors the appropriation of an amount sufficient to erect a new government building at Lahaina, and failing which, a liberal appropriation for the repair of the present building, which is in a sad state of neglect.

Sixth. That this association strongly recommends the provision of an armory building for Lahaina.

That this association further respectfully request the Honorable House of Representatives and the Honorable Senate to take the matters herein represented under consideration. All of which is respectfully submitted.

Dated at Lahaina, March 3, 1909.

The Civic Federation's request that the liquor law be unchanged and the Republican members reminded of their solemn promise to refrain from tampering with the laws, which they must do by favorably considering the Moore amendment, was read by Clerk Savidge in full. The petition shows very plainly the evils that will follow in the wake of any change in the present law. The petition in full is as follows: "To the Honorable Senate and House of Representatives, Territory of Hawaii:

"Greeting.—The Civic Federation of Honolulu respectfully petitions your honorable body that Senate Bill No. 29, entitled 'An Act to amend Act 119 of the Session Laws of 1907, entitled 'An Act to regulate the sale of intoxicating liquors,' repealing Act 67 of the Session Laws of 1905,' be not passed for the following reasons:

"(1) The present liquor law has worked well in most sections, causing a marked decrease in drunkenness. It has been complemented highly by many prominent visitors to the Territory. It should have a fair show to prove itself by being left unamended for another term.

"(2) The proposed law takes from the Commissioners their discretion in issuing licenses, making it mandatory that the license issue if the consent of adjacent property holders has been obtained. This revises the similar feature of the law of 1905, to which great objection was made. The discretion of the Commissioners is the most valuable feature of the present law and should not be eliminated.

"(3) The bill proposes to reduce the amount of the license fees. This should not be done. An ample number of licensees have paid the present fees and there is no call to reduce our revenues.

"(4) The bill provides for an appeal from all decisions of the board by the saloonkeeper under bonds. This would enable a skillful lawyer to delay the hearing of the case by interposing technicalities so that the entire term of the license would elapse before the final determination, thus defeating the law. The matter should be decided at once in order to protect the rights of the citizens.

"(5) The bill allows the sale of liquor in restaurants without meals. This opens the door to any saloon to sell liquor after hours, Sunday's and election days, by simply hiring a cook and running a restaurant on the same premises. The Commissioners of Oahu have practically decided that the present law did not allow liquor to be sold by restaurants except at and with meals.

"(6) Pending an appeal the bill allows the applicant to go ahead operating his saloon until the appeal is decided. This would render the whole matter a farce. He would only be out his lawyer's fee in case the appeal went against him, as the case could be prolonged by continuances, etc., as above stated.

"(7) The Republican party platform declared for the course that the present liquor law should not be amended at this session. A majority of both Houses were elected under that platform.

"(8) The bill, if it becomes a law, will greatly increase saloons and drunkenness and consequently misery and distress of women and children.

"(9) The law as framed drops out the only local option feature of the present law and is a step backward. Forty out of forty-six States have now local option laws or prohibition. To eliminate this feature is a direct attack on the rights of the majority.

"(10) The proposed law makes all meetings of the Board public. This is hard on applicants whose character is in question. Privacy in consultation is often desirable.

"(11) Under the laws as proposed no saloon can be suspended, no matter how much it may disregard the law.

An appeal lies from suspension also, and under it justice can be defeated and the saloon go right on.

"Respectfully submitted,
(Signed)

"C. H. DICKEY, Chairman,
"DOREMUS SCUDDER,
"W. R. CASTLE,
"Committee on Legislation, Civic Federation."

The petition was referred to the Ways and Means committee which has the Moore amendments under consideration.

Table Poi Resolution.

The select committee appointed to consider House Concurrent Resolution No. 10, relating to the Bonine moving pictures showing an aged Hawaiian eating poi in a manner that was objected to by the legislators, rendered its report, which was adopted by the Senate on a unanimous vote. The report says:

"Your select committee to whom was referred House Concurrent Resolution No. 10 relating to the 'Bonine Poi-Eating Films,' beg leave to report that we have met Mr. Bonine and he informed us that he had already caused the objectionable film to be discarded and destroyed, which he did at the time he received the first intimation of any one being hurt by its exhibition and before the resolution was received in the Senate. Mr. Bonine expressed his sincere regret for being the cause of innocently creating such adverse feeling to what he had regarded as a means of illustrating in some graphic manner and with a humorous tend, a scene which might depict an oldtime custom which is almost a thing of the past.

Your committee feel that the action of the House was justified in promptly expressing their feeling as to what they deemed very objectionable; but, as the same is now beyond any future use, the committee therefore recommend the said Concurrent Resolution of the House be tabled."

Although the Senate has already gone on record as being opposed to the idea of bail commissioners, Coelho introduced another measure yesterday which the Maui statesman explained was materially different from the one that had already been considered by the Senate and indefinitely postponed on the recommendation of the Judiciary committee.

On the order of the day the Senate passed two bills on the third reading. The first, Senate Bill No. 45, provides for the service of process on corporations in judicial and administrative suits in the Territory.

The law provides that if no officer of a corporation can be found within the jurisdiction that service can be had by filing in the office of the treasurer a copy of the process in the name of an officer and that the same will become effective thirty days after filing. The bill passed third reading on motion of Knudsen.

House Bill No. 36 passed its third reading and is ready for the signature of the Governor. It makes the brothers and sisters of an illegitimate person included in the line of inheritance.

House Bill No. 5, was taken up for second reading and referred to the Judiciary Committee. The measure is intended to protect purchasers of real estate from fraudulent conveyances.

House Bill No. 15, providing for the maintenance and support of the family of a deceased person pending the administration of the estate, passed second reading.

House Bill No. 17, amending the City and County incorporating act, to give greater authority in the regulation of what the resolution terms "noisome trades," passed first reading.

Bills Are Referred.

House Bill No. 55, an act to repeal Section 1018 of the Revised Laws, relating to certificates of vaccination, was taken up on second reading and referred to the Committee on Public Health.

House Bill No. 58, intended to repeal Act 64 of the Session Laws of 1905 as amended by Act 79 of the Session Laws of 1907, relating to the issuance of certificates of Hawaiian birth.

House Bill 62, amending the Revised Laws relating to the granting of charters of incorporation was taken up for second reading and referred to the Judiciary Committee; and House Bill No. 63, amending the laws governing trial by jury, also went to the Judiciary Committee.

House Bill No. 69, relating to the bonds of public officers, was handed over to the Judiciary Committee for consideration.

Senate Bill No. 63, McCarthy's measure intended to make one surety sufficient for the holder or applicant for a liquor license, was taken up on second reading. It is in line with the general efforts of the liquor interests to have things their own way. It was referred to the same committee that has Moore's liquor law amendment bill—the Ways and Means.

Senate Bill No. 64, Baker's measure to impose a tax of ten cents per acre on all land in addition to the present taxes, was referred to the special committee on taxation.

Senate Bill No. 65, providing for a change in the Judiciary Circuits, was referred to the Judiciary Committee.

Senator Fairchild introduced an act to provide payment of the claim of Judge P. L. Weaver for the sum of \$456.30, traveling expenses incurred in 1903 in connection with obtaining information relative to the procedure to be followed in the Court of Land Registration.

The other measure introduced by Senator Fairchild provides for an appropriation to pay a claim of the trustees of the estate of Bernice Pauahi Bishop.

Section 1. The sum of seven hundred and fourteen (\$714.00) dollars is hereby appropriated to be paid out of any money in the treasury received from the general revenues of the Territory for the settlement of the claims of the trustees under the will and of the estate of Bernice Pauahi Bishop, for the taking of certain lands by the Territory belonging to said trustees as part of the Niuepa Homesteads, known and designated as lots 12, 14, 20, 21 and 27 of said homesteads.

"Section 2. The auditor shall not issue a warrant in payment of the above claim until a receipt in full therefor is filed and the same is approved by the Commissioner of Public Lands. Said Commissioner shall not approve such a receipt until delivery

by said trustees of a properly executed quitclaim deed conveying to the Territory all the right, title and interest of said trustees in and to said lands."

HOUSE.

Kaleiopa's hurry-up bill, to pay the Supervisors' road workers from January 4 until date, for what actual work they have done and to authorize the city fathers to pay for what work may be done before March 15, was up on special order of the day.

Kamahu got the floor first yesterday, beating Kaleiopa by an eyelash. He desired to offer an amendment, which included the Mayor's employes actually employed.

Kaleiopa wanted to know who these might be and demanded a direct answer upon being informed that it was up to the Supervisors to learn who these were. This induced the father of the bill to give an opinion about men who hung around doing nothing while other men were at work "sweating for the public." He moved the tabling of the motion which cut Kamahu off in the middle of a sentence. The Speaker stated that he would like to see further debate but the motion prevented that.

Save the Supervisors.

Kamahu advanced the theory after his amendment had gone a-glimmering, that the men the Supervisors had hired ought to be paid out of the bonds of the Supervisors. He stated that ten of the present members of the House had been members of the House which passed the Municipal Act, knew what that act was and ought to know better now than to pass the bill under consideration. To pass such now would be to encourage a disregard of law. He moved the indefinite postponement of the bill.

Nakaleka moved that the bill pass on third reading, just as like arose for his maiden speech. Like favored Kamaku's motion and reviewed the trouble between the Mayor and Supervisors and the decision of the Supreme Court declaring the Supervisors' appointments illegal and void. He also wanted to make the members of the Board and their surties responsible for the mistakes. He had no objection to paying the men who had worked, but they had a remedy and that was properly to proceed against the bondsmen of the Supervisors. He wanted to have the bondsmen tried out first.

Kamahu also favored the indefinite postponement. The Supervisors got the people into trouble and now want to unload the pillkias on the Legislature. The whole trouble was that there was a political fight on. The portion of the statute dealing with the responsibility of an official and his bondsmen should not be just a joke and this bill was making it such. He favored the indefinite postponement of the bill and an effort to induce the Honolulu politicians to stop their quarreling, get down to business and compromise their differences. He was sorry for some of the people but thought the lesson was a good one, if the people had only voted the straight ticket they would not have had the mix-up. They didn't, though, and the trouble they are having is their own fault.

Kaleiopa harked back to the Legislature of 1907, when the House was petitioned in regard to the trouble on Hawaii, where a Home Rule sheriff and a Republican Board of Supervisors had a falling out. All the counties then voted to pay the Hawaii police, now it was up to the members to let Oahu pay her laborers. No Territorial money was asked. He had not brought in the bill as a political measure but in order to help the laborers who were up against it. He did not deny the right of the Mayor to appoint and kokuu the Supreme Court on that, but blamed him for not first getting the approval of the Supervisors. The question is, shall the men be paid or allowed to go hungry?

Sheldon had something to remark about pillkias. He agreed with Kamahu that there was politics at the bottom of the trouble but this did not alter the fact that work had been done, Oahu had benefited and the workmen had not been paid.

Kawehi told about the lobby work he did in the last session when he was on the payroll as sergeant-at-arms, this being in regard to the Hawaii police bill. Personally he benefited from that bill to the amount of \$50.10 and knew the bill was a good one. He favored the bill.

Nothing Stopped Kaniho.

Rice moved the previous question, which carried and roll call proceeded, Kaniho speaking to the last and asking leave to verbally amend this bill. Rice rose to a point of order and was overruled. Kaniho wanted to state his amendment before the rules were suspended and there were parliamentary precepts lying a foot deep all over the House.

The Speaker tried to stem the tide of Kaniho's explanations about something, finally succeeding. The motion to suspend the rules was about to be put when Kaleiopa had to be put straight on the matter of rules and ruling. The motion to suspend was lost and for the third time roll call was reached. The vote stood twenty-five to five, those voting no being Furtado, Kamahu, Kaniho, Kealawa and Like.

Third Readings.

House Bill 51, Long, establishing a juvenile court in each Circuit Court circuit, is to obviate the necessity of bringing children arrested on minor charges into the police courts for trial and also removes children convicted of such offenses from having to go on record as criminals. This is one of the most important measures yet presented in the House.

On third reading yesterday the bill passed on a unanimous vote.

House Bill 53, Sheldon, requiring the publication of all laws as soon as possible after enactment, in English and Hawaiian newspapers, and the publishing of the same in both languages in book form, was read a third time and carried unanimously.

House Bill 70, Kinney, which makes certificates of Hawaiian birth prima facie evidence of the facts stated therein for purposes of registration and before Territorial courts, passed third reading. No one was opposed.

Wage Bill Hoisted Again.

House Bill 35, Nakaleka, which has been the cause of considerable rag-chewing on the floor of the House and

elsewhere, passed third reading. This bill puts the minimum pay of laborers on all public works at \$1.50 a day. When up once before for third reading, Castro had the bill put over to investigate into the power the Territory had to establish a wage scale for the counties.

Kamahu, who had submitted a minority report on the bill on second reading, offered an amendment, putting the daily wage up to \$2.

This resulted in a further deferring of the bill for a week. For the third time the bill has thus come up, Kamahu putting in his \$2 amendment each time, and for the third time it has been given the hoist. None of the members want to go on record as voting against a big raise in pay for laborers, at the same time realizing the absurdity of putting a \$2 minimum on unskilled labor.

Rice looked much annoyed in Kamahu's direction when he made his motion to defer.

Senate Bill 7, McCarthy, respecting bonds given by executors and administrators, went successfully through the final stage and is ready for the Governor's consideration. On this, again, the House was unanimous.

Senate Bill 39, Chillingworth, relating to the purposes for which private property may be taken for public purposes, met with no opposition and passed third reading. The dove of peace plumed herself on the Speaker's desk during these quiet moments when all members voted unanimously on all these many measures.

Senate Bill 41, Knudsen, relating to the Court of Land Registration, passed third reading. This bill abolishes the court as now constituted and turns the work over to the circuit court judges.

Senate Bill 44, Quinn, specifying the term of office of fence commissioners, went through without division, third reading finding the House of one accord.

Senate Bill 34, Knudsen, making certified copies of documents in the public archives admissible in evidence before the Territorial courts, also went through on third reading. Everybody agreed with everybody else and there were no nos.

Second Readings.

Bills which came up on second reading yesterday morning and were referred to committees, were:

House Bill 91, Kaleiopa, authorizes the deposit of Territorial moneys in banks in this Territory. The Finance Committee will consider this.

House Bill 94, Castro, is to amend Section 3018, Revised Laws, and states: "Any person or corporation or officer thereof, or any company of persons, who shall issue any note, bill, order, check, or certificate of deposit in any sum of money with the intent that the same shall be circulated as currency, shall be guilty of a misdemeanor, and for every offense shall be punished by a fine of fifty dollars, or be imprisoned not to exceed one month; provided that nothing in this section shall be construed to prohibit the issuing of clearing house certificates by a duly organized clearing-house."

The matter was referred to Finance Committee.

House Bill 95, Castro, fixes the stamp duties on charters of religious, charitable, literary or educational corporations at \$10; on corporations otherwise as follows: When capitalization is less than \$10,000, the stamp duty is \$5; when between \$10,000 and \$25,000, the duty is \$15; and when over \$25,000 the duty is \$25. The bill went to the Finance Committee.

House Bill 102, Shingle, amends Section 1723, Revised Laws, and states: "If the defendant was never an inhabitant of the Territory (but has property situated within the same) or has removed therefrom, or if, after due diligence, he cannot be found within the Territory of Hawaii, and the fact shall appear by affidavit to the satisfaction of the court or a judge thereof at Chambers, and it shall in like manner appear that a cause of action exists against such defendant, or that he is a necessary or proper party to the action, such court or judge may grant an order that the service be made by publication of the summons."

The bill will be considered in Judiciary Committee.

Senate Bill 51, from the Senate Committee on Education, is the substitute bill sent in by that committee to replace one of Coelho's measures. It parallels a House Bill, now in the Senate, providing for representation from each county on the Board of Education. It was referred to Education Committee.

Senate Bill 52, Judiciary Committee of the Senate, is a bill paralleling Castro's Divorce Bill, now on second reading in the House. The Senate bill went to the Judiciary Committee.

In Honor of New President.

Affonso presented the following resolution, which passed unanimously: "Be it Resolved by the House of Representatives of the Territory of Hawaii, That when it does adjourn for the day it do so in honor of the inauguration of His Excellency, William H. Taft, as President of the United States of America."

Modest Amount.

Kinney presented the first money order of the day, asking for \$500 for a new jailer's cottage at Haula, Koolauloa. This was on the table to await the appropriation bill.

Annual Awa Act.

Kaleiopa presented a bill relating to the growers of awa, which forbids the grower selling awa to anyone who has himself a license to sell awa. The bill provides for a fine of from \$25 to \$100 for a violation of the regulation or imprisonment for not over two months.

The measure, if passed, would enable the holders of licenses to fix the prices for selling to awa fiends and the prices at which they could buy from the grower.

Air Brake Bill.

Correa introduced a bill to compel street car companies in the Territory, meaning the Honolulu Rapid Transit company, to equip all street cars with air brakes. The bill states:

"Every electric car running upon the public streets or highways of the Territory of Hawaii shall be provided with, in addition to the brake now in use upon such car, an emergency air brake or brake operated by compressed air or other means sufficient to stop such car when running at the highest rate of speed permitted by law within a space

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equal to the length of such car. Such brake shall be approved by the Superintendent of Public Works of the Territory of Hawaii and shall be placed upon and adjusted to each and every electric car using the public highways as aforesaid within six months from the date of the approval of this Act."

House Journal Printing.

The journal committee reported having awarded journal printing contracts as follows: Bulletin Printing Company, 250 copies English at \$1.42 per page; Star Newspaper Association, 500 copies in Hawaiian at \$2.07 1/2 per page, and for binding forty volumes in full sheep and lettering the same in gold at \$1.50 per volume.

The bidders were the Bulletin, Star and Paradise of the Pacific, a letter from the Gazette Company thanking the committee for the opportunity to bid but stating that on account of so many previous orders being in no bid would be made.

Judiciary Committee Severe.

The Judiciary Committee reported on five bills, recommending one for passage, three for the table and advising the introducer of the fifth to petition the Governor and not bother the House with the wants of Kawaihae regarding a polling booth.

The one bill which passed the scrutinizing eye of the legal lights in safety is an old friend in the Legislature, being one presented by Moanalua to prevent anyone from drawing pay for two separate jobs in either the Territory, county or municipality. This bill was recommended for passage.

Kinney's grotesque request that a bill be drafted "to prohibit the habit of selling fish and meat openly in the fishmarket," was returned with a recommendation that it be put to slumber on the table, where so much of the products of the intelligence of the House already awaits it. To the table it went.

The report on Makekan's House Bill 39 was short and to the point. "Your committee recommend that the bill be tabled," it said.

A Vigorous Report.

The report on another bill of Makekan's, one to have a radical change in the assessment law, was, in part:

"The object of this bill is to constitute district magistrates and deputies sheriff of each taxation district together with some other disinterested person a board of equalization to pass upon and determine tax assessments as levied by the tax assessors of the various taxation districts. In the opinion of your committee if the present bill became law it would unquestionably give the district magistrates and deputies sheriff vast power, for they could fix the amount of assessments irrespective of the valuations fixed by the tax assessors and in many instances it might be that those officers would not be competent to pass upon matters which involve our public revenue. Your committee is further of the opinion that such power should not be conferred upon district magistrates and deputies sheriff; and therefore recommend that the bill be tabled."

There was considerable opposition to the receipt of this report and a standing vote had to be called for. The report was only adopted by a majority

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of two in the full House. The Committee on Finance raised the license fee on foreign corporations from \$25, as specified in Castro's Bill No. 13, to \$100, the report being accepted.

Unfavorable to Conspicuous Flavor. A report presented but not received, because of an error in phraseology, was read from the Military Committee. This report was on the bill to authorize the preparation of a list of the men in the Territory capable of bearing arms, but the committee thought that the time taken in doing this by the tax assessors might more profitably be used in collecting the territorial taxes. The report stated that the committee saw little sense in such a bill, at any rate, or words to that effect.

Another report from the Military Committee was turned down. Affonso, the chairman of the committee, reported on a resolution from Representative Affonso that an item for the Hilo armory be included in the appropriation bill, instead of the usual recommendation that the item be taken up in the appropriation bill. The little change did not escape the notice of the members.

In order to allow the standing committees to catch up in their work, the House took a recess at half past twelve until this morning at nine.